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AB-1086 Off-highway vehicular recreation: Carnegie State Vehicular Recreation Area: Alameda-Tesla Expansion Area. (2019-2020)

Senate:

1st Cmt 2nd 3rd Pass

Assembly:

1st Cmt 2nd Cmt 2nd 3rd Pass Pass Veto

Bill Status	
Measure:	AB-1086
Lead Authors:	Bauer-Kahan (A)
Principal Coauthors:	Glazer (S)
Coauthors:	-
Topic:	Off-highway vehicular recreation: Carnegie State Vehicular Recreation Area: Alameda-Tesla Expansion Area.
31st Day in Print:	03/24/19
Title:	An act to add Section 5090.42 to the Public Resources Code, relating to parks and recreation.
House Location:	Assembly
Enrolled Date:	09/20/19
Last Amended Date:	09/06/19

Type of Measure
Inactive Bill - Vetoed
Majority Vote Required
Non-Appropriation
Fiscal Committee
Non-State-Mandated Local Program
Non-Urgency
Non-Tax levy

Last 5 History Actions	
Date	Action
10/11/19	Vetoed by Governor.
09/26/19	Enrolled and presented to the Governor at 4 p.m.
09/13/19	Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 56. Noes 21. Page 3565.).
09/13/19	In Assembly. Concurrence in Senate amendments pending.
09/13/19	Read third time. Passed. Ordered to the Assembly. (Ayes 30. Noes 10. Page 2927.).

Governor's Veto Message
<p>To the Members of the California State Assembly:</p> <p>I am returning Assembly Bill 1086 without my signature.</p> <p>This bill authorizes the Department of Parks and Recreation (Department) to dispose of the Alameda-Tesla Expansion Area of the Carnegie State Vehicular Recreation Area if sold to a local government entity or non-profit entity for the explicit purpose of conserving the land.</p> <p>There is no evidence that the Department has failed to conduct sufficient study of this property or is mismanaging this state resource. The park was purchased for the benefit of all Californians and should remain a state park.</p> <p>Sincerely,</p> <p>Gavin Newsom</p>

Governor's Veto Message

Assembly Bill No. 1086

Passed the Assembly September 13, 2019

Chief Clerk of the Assembly

Passed the Senate September 13, 2019

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2019, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 5090.42 to the Public Resources Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1086, Bauer-Kahan. Off-highway vehicular recreation: Carnegie State Vehicular Recreation Area: Alameda-Tesla Expansion Area.

The Off-Highway Motor Vehicle Recreation Act of 2003 creates the Division of Off-Highway Motor Vehicle Recreation within the Department of Parks and Recreation. The act gives the division certain duties and responsibilities, including the planning, acquisition, development, conservation, and restoration of lands in state vehicular recreation areas. Existing law creates the Off-Highway Vehicle Trust Fund to be the repository of certain moneys, including certain fees received by the department for the use of state vehicular recreation areas. Existing law requires the revenues in the fund to be available, upon appropriation, for grants and cooperative agreements, as specified, the support of the division, and the planning, acquisition, development, mitigation, construction, maintenance, administration, operation, restoration, and conservation of lands in state vehicular recreation areas and certain other areas.

This bill would authorize the department to dispose of the portion of the Carnegie State Vehicular Recreation Area known as the "Alameda-Tesla Expansion Area" to permanently preserve that land for conservation purposes, as specified, if the department determines that disposing of the land is in the public interest. The bill would require that the land only be sold to a local agency or nonprofit organization for use as a park or other open-space purpose, as specified. The bill would require any revenue from the disposition of the land to, upon appropriation by the Legislature, first be used to reimburse the Department of General Services for any cost or expense incurred in the disposition of the land, and then would require any remaining revenue to be deposited in the Off-Highway Vehicle Trust Fund.

The people of the State of California do enact as follows:

SECTION 1. Section 5090.42 is added to the Public Resources Code, to read:

5090.42. (a) Notwithstanding Sections 11011 and 11011.1 of the Government Code, the department may dispose of the portion of the Carnegie State Vehicular Recreation Area known as the “Alameda-Tesla Expansion Area,” which encompasses approximately 3,100 acres in the County of Alameda, to permanently preserve that land for conservation purposes by sale of a perpetual recorded conservation easement deed restriction or fee title if the department, after holding a public hearing on the matter and in consultation with stakeholders, determines that disposing of the land is in the public interest.

(b) (1) If the department determines that disposing of the land is in the public interest, the Department of General Services may sell the land or otherwise dispose of the land pursuant to this authorization upon any terms and conditions and subject to any reservations and exceptions that the Department of General Services deems to be in the best interests of the state.

(2) The Department of General Services shall sell the land only to a local agency or nonprofit organization for use as a park or other open-space purpose. The land shall be sold for no less than the original purchase price based on the actual parcels to be included in the sale.

(3) For purposes of this subdivision, “park or other open-space purpose” means a use of the land’s natural resources that is consistent with a conservation purpose, including preservation of native biological diversity, wildlife habitats, and cultural resources, the enjoyment of scenic beauty, and nonmotorized public recreation.

(c) Any revenue from the disposition of the land shall, upon appropriation by the Legislature, first be used to reimburse the Department of General Services for any cost or expense incurred in the disposition of the land, and then any remaining revenue shall be deposited in the fund.

Approved _____, 2019

Governor